IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 462 OF 2006.

Smt.Shewantabai Tukaram Dhawade
since deceased through LRs.
Smt.Indubai Tukaram Dhawade and ors. ... Appellants.
Versus.
Rambhau Dhondiba Kolhe. ... Respondent.

Shri S.B.Deshmukh i/by Shri A.V.Anturkar for the Appellants.
Shri N.P.Deshpande for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 27th April, 2006.

P.C.:

1. Heard the learned Advocates appearing for the parties. The Appellants are the original Plaintiffs who filed a suit for specific performance of an agreement to execute reconveyance. The Courts below have concurrently held that the Appellants/Plaintiffs failed to prove readiness and willingness to comply with their part of the contract. The said finding is based on the appreciation of oral and documentary evidence on record. No interference is called for in a Second Appeal under section 100 of the Code of Civil Procedure, 1908.

Second Appeal is dismissed.

Judge.